

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE ADOPTION OF THE  
2019 CALIFORNIA PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5  
  
(HCD 02/18)**

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The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

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**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:**

(Government Code Section 11346.2(b)(1)) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem the agency intends to address for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

**1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.**

**Administrative Requirement:** Health and Safety Code Section 17921 directs the Department of Housing and Community Development (HCD) to propose adoption, amendment or repeal of building standards for the protection of public health, safety and general welfare.

**2) Specific Purpose**

The California Building Standards Commission (CBSC) selected the 2018 Uniform Plumbing Code (UPC), published by the International Association of Plumbing and Mechanical Officials (IAPMO), as the model code to be referenced in Title 24, Part 5, for the 2018 Triennial Code Adoption Cycle.

The specific purpose of these regulations is to adopt by reference the 2018 UPC, with California amendments, into the 2019 California Plumbing Code (CPC) (California Code of Regulations (CCR), Title 24, Part 5), for the following programs:

- a) **State Housing Law Program:** relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2.
- b) **Employee Housing Program:** relative to the use of plumbing equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks and Special Occupancy Parks Programs:** relative to the use of plumbing equipment and systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator, within the park, in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Health and Safety Code Section 18865 for special occupancy parks.
- d) **Factory-Built Housing Program:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

### 3) **Rationale for Necessity**

The 2018 UPC was published by IAPMO and will automatically become adopted in its entirety, pursuant to Health and Safety Code Section 17922 (b), one year from its date of publication if not amended and proposed by HCD to the CBSC for adoption.

If the 2018 UPC becomes adopted in its entirety without being proposed for adoption with amendments by HCD to the CBSC, such automatic adoption would cause considerable confusion because California amendments, also known as State amendments, are necessary modifications to the model code language to ensure that the 2019 CPC is consistent with state law and unique California conditions.

**It is necessary to propose the adoption** of some sections of the 2018 UPC, with amendments to the model code language, to incorporate state and federal laws and regulations, and to benefit the health, safety, and general welfare of California residents.

**It is necessary to not propose the adoption** of some sections of the 2018 UPC, as they would conflict with certain existing state and federal laws, and would not benefit the health, safety, and general welfare of California residents.

**It is necessary to propose the removal** of some California amendments previously proposed and adopted in the 2016 CPC that are duplicated or replaced by similar new model code language, or incorporated state and federal laws, and are no longer necessary.

**It is necessary to propose to bring forward** previously existing California amendments. Some existing amendments will be brought forward without any changes and will represent no change in their effect from the 2016 CPC. Other previously existing California amendments will be changed as explained below.

### **Specific Proposed Regulatory Actions:**

HCD proposes to adopt by reference the 2018 edition of the UPC with amendments into the 2019 CPC. The proposed amendments are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. The proposed amendments are a result of recommendations developed during the public participation period prior to submittal to the CBSC to be included in the 2018 Triennial Code Adoption Cycle. The rationale for each amendment by chapter and section is listed below.

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## **1. CHAPTER 1 ADMINISTRATION**

HCD proposes to bring forward Chapter 1, Division 1, Sections 1.1 and 1.8, from the 2016 CPC for adoption into the 2019 CPC with modifications as follows:

### **1.1.0 General.**

#### **1.1.1 Title.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification updates the reference to the UPC from the 2015 UPC to the 2018 UPC.

#### **1.1.2 Purpose.**

#### **1.1.3 Scope.**

##### **1.1.3.1 Non-State-Regulated Buildings, Structures, and Applications.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1.1.3.2 State-Regulated Buildings, Structures, and Applications.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with editorial modification. The proposed modification align the language in this section with the language in other parts of Title 24. There is no intended change in regulatory effect.

#### **1.1.4 Appendices.**

#### **1.1.5 Referenced Codes.**

#### **1.1.6 Non-Building Standards, Orders, and Regulations.**

#### **1.1.7 Order of Precedence and Use.**

##### **1.1.7.1 Differences.**

##### **1.1.7.2 Specific Provisions.**

### **1.1.7.3 Conflicts.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1.1.7.3.1 Detached One- and Two-Family Dwellings.**

**Rationale:** HCD proposes to continue adoption of the above referenced section (currently an exception in Section 1.1.7.3) with editorial modifications. The proposed modifications identify this section as a separate section with title and aligns the language in this section with the language in other parts of Title 24. There is no intended change in regulatory effect.

### **1.1.8 City, County, or City and County Amendments, Additions or Deletions.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment. The existing amendment is brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1.1.8.1 Findings and Filings.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification to HCD's address. The proposed modification aligns the language in this section with the language in other parts of Title 24. There is no intended change in regulatory effect.

### **1.1.9 Effective Date of this Code.**

**Rationale:** HCD proposes to adopt the above referenced section with new exception, which provides clarification of effective dates for HCD-approved plans for factory-built housing (FBH). Pursuant to the California Code of Regulations, Title 25, Section 3048, implementing the Factory-Built Housing Law (Health and Safety Code Section 19960 *et seq.*), FBH plans are valid for a period of 36 months from the date of approval. This allows approved plans to be valid during a period overlapping two triennial codes. The proposed exception has no change in regulatory effect, but provides a clear reference for code users that FBH plans approved and in compliance with a prior code may still be valid for building permits submitted during the effective period of the subsequent code.

### **1.1.10 Availability of Codes.**

#### **1.1.11 Format.**

#### **1.1.12 Validity.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1.8.0 Department of Housing and Community Development. (HCD)**

### **1.8.1 Purpose.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with editorial modification. The proposed modification provides clarity and consistency with all parts of Title 24. There is no intended change in regulatory effect.

## **1.8.2 Authority and Abbreviations.**

### **1.8.2.1 General.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification

#### **1.8.2.1.1 Housing Construction.**

**Rationale:** HCD proposes to continue adoption of the above referenced sections with new editorial modification to the “Authority Cited” and “Reference.” There is no change in regulatory effect.

#### **1.8.2.1.2 Housing Accessibility.**

**Rationale:** HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial modifications to the “Application.” HCD also proposes to modify the “Authority Cited” and “Reference” sections. The proposed modifications provide clarity and consistency with all parts of Title 24. There is no intended change in regulatory effect.

#### **1.8.2.1.3 Permanent Buildings in Mobilehome Parks and Special Occupancy Parks.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification to “Enforcing Agency.” HCD also proposes to modify the “Authority Cited” and “Reference” sections. The proposed modification provides clarity and consistency with all parts of Title 24. There is no intended change in regulatory effect.

## **1.8.3 Local Enforcing Agency.**

### **1.8.3.1 Duties and Powers.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modifications. The new modifications provide clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

### **1.8.3.2 Laws, Rules, and Regulations.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment. The existing amendment is brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1.8.3.2.1 State Housing Law.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modification. The new modification provides clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

#### **1.8.3.2.2 Mobilehome Parks Act.**

#### **1.8.3.2.3 Special Occupancy Parks Act.**

#### **1.8.3.2.4 Employee Housing Act.**

#### **1.8.3.2.5 Factory-Built Housing Law.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1.8.4 Permits, Fees, Applications, and Inspections.**

#### **1.8.4.1 Permits.**

#### **1.8.4.2 Fees.**

#### **1.8.4.3 Plan Review and Time Limitations.**

##### **1.8.4.3.1 Retention of Plans.**

#### **1.8.4.4 Inspections.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1.8.5 Right of Entry for Enforcement.**

#### **1.8.5.1 General.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modification. The new modification provides clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

### **1.8.6 Local Modification by Ordinance or Regulation.**

#### **1.8.6.1 General.**

#### **1.8.6.2 Findings, Filings, and Rejections of Local Modifications.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1.8.7 Alternate Materials, Designs, Tests, And Methods of Construction.**

#### **1.8.7.1 General.**

#### **1.8.7.2 Local Building Departments.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modifications. The new modifications provide clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

##### **1.8.7.2.1 Approval of Alternates.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment. The existing amendment is brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1.8.7.3 Department of Housing and Community Development.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment with new modification to reflect the applications identified as “HCD 2” under HCD’s scope in Sections 1.1.3.2(9) and 1.8.2.1.3. The new modification provides clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

### **1.8.8 Appeals Board.**

#### **1.8.8.1 General.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment. The existing amendment is brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1.8.8.2 Definitions.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modifications. The new modifications provide clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

#### **1.8.8.3 Appeals.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment. The existing amendment is brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1.8.9 Unsafe Buildings or Structures.**

#### **1.8.9.1 Authority to Enforce.**

#### **1.8.9.2 Actions and Proceedings.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with new nonsubstantive editorial modification. The new modification provides clarity and consistency with all other parts of Title 24. There is no intended change in regulatory effect.

### **1.8.10 Other Building Regulations.**

#### **1.8.10.1 Existing Structures.**

#### **1.8.10.2.1 Moved Structures.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments. These existing amendments are brought forward from the 2016 CPC into the 2019 CPC without modification.

## **2. CHAPTER 1 DIVISION II ADMINISTRATION**

HCD proposes to continue adoption of Chapter 1, Division II and Section 104.2 (Items 1 and 2) only, from the 2018 UPC into the 2019 CPC without amendments:

### **104.2 Exempt Work.**

**Rationale:** HCD proposes to continue adoption of Chapter 1, Division II and Section 104.2 (Items 1 and 2 only) from the 2018 UPC into the 2019 CPC without amendments.

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## **3. CHAPTER 2 DEFINITIONS**

HCD proposes to adopt Chapter 2 from the 2018 UPC into the 2019 CPC with new and existing amendments.

**Rationale:** HCD proposes to continue adoption of the existing California amendments in Chapter 2. These amendments have been brought forward from the 2016 CPC with no intended change in regulatory effect. Rationale for new California amendments is shown below.

**203.0** -A-

**Alternate Water Source.**

**Approved.**

**Approved Testing Agency.**

**Authority Having Jurisdiction.**

**204.0** B-

**Building.**

**205.0** -C-

***Clothes Washer System.***

***Complex System.***

***Construction Site.***

***Covered Multifamily Dwellings.***

**206.0** -D-

***Department.***

***Department Having Jurisdiction.***

***Disinfected Tertiary Recycled Water.***

***Disposal Field.***



**207.0** -E-

***Enforcing Agency.***

**209.0** -G-

***GrayWater.***

**Rationale:** HCD proposes to continue to not adopt the model code definition of “Gray Water” from the 2018 UPC into the 2019 CPC, and to continue adopting the California definition of Graywater. California Law defines graywater specifically in Section 17922.12 of the Health and Safety Code.

***Gray Water System.***

**211.0** -I-

***Irrigation Field.***

**214.0** -L-

**Labeled.**

***Lavatory.***

***Limited-Density Owner-Built Rural Dwelling.***

***Listed.***

**Listing Agency.**

***Low VOC Cement.***

***Low VOC One-Step Cement.***

***Low VOC Primer.***

**215.0** -M-

***Mulch Basin.***

**Rationale:** HCD proposes to continue to not adopt the model code definition for “Mulch Basin” from the 2018 UPC, and continue adoption of the existing California definition from the 2016 CPC.

**216.0** -N-

***Nonwater Supplied Urinal.***

**Nuisance.**

**Rationale:** HCD proposes to adopt the above referenced definition with modified existing California amendment. The new modification provides a correct reference for the definition of “nuisance” in the State Housing Law (Health and Safety Code Section 17920(I)) and has no change in regulatory effect.

217.0

-O-

***On-Site Treated Nonpotable Water.***

**Rationale:** HCD proposes to continue to not adopt the model code definition of “On-Site Treated Nonpotable Water” from the 2018 UPC, and to continue adoption of the existing California definition from the 2016 CPC. This definition is modified from Code language found in the Green Plumbing and Mechanical Code Supplement and identifies what on-site treated potable water is, and also what some of the sources of on-site treated nonpotable water may be.

220.0

-R-

***Rainwater.***

**Rationale:** HCD proposes to continue to not adopt the model code definition of “Rainwater” from the 2018 UPC, and to continue adoption of the existing California definition from the 2016 CPC. This definition is contained in AB 1750 (Chapter 537, Statutes of 2012), the Rainwater Capture Act of 2012, which identifies the collection surfaces which are suitable for collection of rainwater for use.

***Rainwater Catchment System.***

**Rationale:** HCD proposes to continue to not adopt the model code definition of “Rainwater Catchment System” from the 2018 UPC, and to continue adoption of the existing California definition from the 2016 CPC. The existing definition is consistent with the language in the AB 1750, the Rainwater Capture Act of 2012, which also defines other commonly used terms.

***Receiving Landscape.***

***Reclaimed (Recycled) Water.***

**Rationale:** HCD proposes to continue to not adopt the model code definition of “Reclaimed Water” from the 2018 UPC, and to continue adoption of the existing California definition from the 2016 CPC.

***Recycled Water Supply System.***

221.0

-S-

***Simple System.***

***Single-Family Dwelling.***

**Rationale:** HCD proposes to continue to not adopt the above referenced definition from the 2018 UPC. This definition conflicts with HCD’s definition of “Detached Single-Family Dwelling” contained in the California Building Code (CBC).

222.0

-T-

***Testing Agency.***

***Treated Gray Water.***

223.0

-U-

**UPC.**

***Urinal, Hybrid.***

**Rationale:** HCD proposes to repeal the above referenced existing California definition. This definition was adopted during the 2016 Intervening Code Adoption Cycle; the same definition is used in the 2016 CALGreen. The term “urinal, hybrid” is newly defined in the 2018 UPC; therefore, the California definition is no longer necessary.

225.0

-W-

***Water Closet.***

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#### 4. CHAPTER 3 GENERAL REGULATIONS

HCD proposes to adopt Chapter 3, (except Sections 301.3.1, 301.3.1.1 and 301.3.1.2), from the 2018 UPC into the 2019 CPC, with new and existing amendments as follows:

##### **301.0 General.**

##### **301.3 Alternate Materials and Methods of Construction Equivalency.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment refers to Section 1.8.7, Chapter 1, Division 1, which contains the requirements for Alternate Materials, Designs, Tests, and Methods of Construction related to residential occupancies. The existing amendment is brought forward from 2016 CPC into 2019 CPC without modification.

##### **301.3.1 Testing.**

##### **301.3.1.1 Tests.**

##### **301.3.1.2 Request by Authority Having Jurisdiction.**

**Rationale:** HCD proposes to continue to not adopt the above-listed existing model code sections. The language is located in Section 1.8.7.2.1, Chapter 1, Division 1, of this code.

##### **301.4.1 Coastal High Hazard Areas.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes the general term “building code” and refers to the California Building Code (CBC) or California Residential Code (CRC) as the appropriate code for flood loads. The existing amendment is brought forward from 2016 CPC into 2019 CPC without modification.

##### **301.6 One- and Two-Family Dwellings.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment is brought forward from 2016 CPC into 2019 CPC without modification.

### **303.0 Disposal of Liquid Waste.**

#### **303.1 General.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment is brought forward from 2016 CPC into 2019 CPC without modification.

### **304.0 Connections to Plumbing System Required.**

#### **304.1 General.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment is brought forward 2016 CPC into the 2019 CPC without modification.

### **309.0 Workmanship.**

#### **309.5 Sound Transmission.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The proposed amendment removes the general term “building code” and refers to the California Building Code as the appropriate code containing the requirements for sound transmission. There is no intended change in regulatory effect.

### **312.0 Protection of Piping, Materials, and Structures.**

#### **312.2 Installation.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes the general term “building code” and refers to the California Building Code or California Residential Code as the appropriate code for cutting or notching where structural members might be weakened or impaired by plumbing installations. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **312.7 Fire-Resistant Construction.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment refers to the California Building Code and the California Residential Code as the appropriate codes containing requirements for fire resistant construction; HCD does not adopt Chapter 14. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **312.11 Structural Members.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes the general term “building code” and refers to the California Building Code and California Residential Code as appropriate code to verify the requirements for a safe structural condition of structural member. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **5. CHAPTER 4**

### **PLUMBING FIXTURES AND FIXTURE FITTINGS**

HCD proposes to adopt Chapter 4 (except Section 422.2, 422.4 and 422.5) from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

#### **401.0 General.**

##### ***401.3 Water-Conserving Fixtures and Fittings.***

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment with modification, which clarifies and makes specific the existing language. Due to the effective dates specified in the Civil Code (Senate Bill (SB) 407, Chapter 587, Statutes of 2009) the information in the existing text related to additions/alterations is obsolete and no longer needed.

SB 407, codified in the California Civil Code (Section 1101.1, *et seq.*), requires replacement of noncompliant plumbing fixtures in all existing single-family residential real property by January 1, 2017, and in all existing multifamily residential real property (including residential hotels) and commercial real property (including hotels and motels) by January 1, 2019. The law also mandated replacement of noncompliant plumbing fixtures in single-family residential buildings (on and after January 1, 2014) for alterations, improvements or additions. The existing language, which was adopted in the 2013 CPC, provides a reference to the Civil Code, but addresses only residential buildings undergoing permitted alterations, additions or improvements.

The proposed amendment provides clarity and consistency to the code user. Since the text is not regulatory and only provides a reference to the existing statute, there is no intended change in regulatory effect.

#### **403.0 Accessible Plumbing Facilities.**

##### **403.1 General.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides the code user with the correct reference to Chapter 11A of the California Building Code, which contains specific requirements for accessibility. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **403.2 Fixtures and Fixture Fittings for Persons with Disabilities.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment deletes the reference to ICC A117.1 and refers to Chapter 11A in the California Building Code for requirements regarding accommodations for persons with disabilities. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **403.3 Exposed Pipes and Surfaces.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The new amendment provides the code user with the correct reference to Chapter 11A of the California Building Code, which contains specific requirements for housing accessibility. The newly proposed amendment provides clarity and consistency to the code user.

### **407.0 Lavatories.**

#### **407.2 Water Consumption.**

**Rationale:** HCD proposes to adopt the above referenced section with new editorial modification. HCD proposes to modify the referenced sections to align with the newly proposed format (renumbering) of Section 407.2. (See rationale for Sections 407.2.2, 407.2.3, and 407.2.4.)

The proposed modification provides clarity and consistency to the code user. There is no intended change in regulatory effect.

#### **407.2.1 Public Lavatory Faucets. (Formerly Maximum Flow Rate)**

**Rationale:** HCD proposes to adopt the above referenced section with new and existing amendments. HCD proposes to modify the title and to continue repealing the language referring to flow rates for private lavatory faucets. HCD brings forward (in separate subsections) existing California amendments from the 2016 CPC, which addresses residential lavatory faucets flow rates.

The proposed amendment provides clarity and consistency to the code user. There is no intended change in regulatory effect.

#### **407.2.2 Residential Lavatory Faucets.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, which provides the maximum flow rates for residential lavatory faucets in California. These flow rates are consistent with the requirements in CALGreen and Title 20 (Appliance Efficiency Regulations), adopted by the California Energy Commission. The existing amendment has been brought forward from the 2016 CPC for adoption into the 2019 CPC without modification, and renumbered for clarity and consistency with the format of the model code.

#### **407.2.3 Lavatory Faucets in Common and Public Use Areas.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, which provides the maximum flow rates for lavatory faucets in common and public use areas of residential buildings in California. These flow rates are consistent with the requirements in CALGreen and Title 20 (Appliance Efficiency Regulations), adopted by the California Energy Commission. The existing amendment has been brought forward from the 2016 CPC for adoption into the 2019 CPC without modification, and renumbered for clarity and consistency with the format of the model code. There is no intended change in regulatory effect.

#### **407.2.4 Metering Faucets.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. HCD proposes to decrease the maximum flow rate of metering faucets to 0.2 gallons per metering cycle. This proposal aligns metering faucet requirements for residential and commercial buildings. HCD proposes the same modification in the 2019 CALGreen. HCD also proposes to renumber this section for clarity and consistency with the format of the model.

#### **408.0 Showers.**

#### **408.2 Water Consumption.**

**Rationale:** HCD proposes to adopt the above referenced section with new and modified existing California amendments. HCD proposes to modify the showerhead flow rate (from 2.5 gpm to 1.8 gpm) in the model code language to reflect the existing California amendment.

The proposed editorial modifications provide clarity to the code user and consistency with the model code format. There is no intended change in regulatory effect.

#### **408.5 Finished Curb or Threshold.**

**Rationale:** HCD proposes to adopt the above referenced section with new and existing California amendments. The existing amendment refers to the California Building Code, California Residential Code, and California Electrical Code (CEC), and repeals the general term “building, residential, and electrical codes,” used in the model code language. The existing amendment, which provides clarity and consistency to the code user, has been brought forward from the 2016 CPC for adoption into the 2019 CPC with nonsubstantive editorial modifications.

HCD proposes to repeal the existing amendment in Exception 1, which provides the code user with a reference to Chapter 11A. Model code language now references Section 403.2, which includes an existing California amendment addressing accessibility requirements contained in Chapter 11A of the CBC. Therefore, the existing amendment is no longer necessary.

The proposed new amendment provides clarity to the code user. There is no intended change in regulatory effect.

#### **408.6 Shower Compartments.**

**Rationale:** HCD proposes to adopt the above referenced section with existing and new California amendment. The existing amendment removes the language that references ICC A117.1 and refers to the California Building Code, Chapter 11A, which contains the correct accessibility requirements. HCD proposes to repeal Exception 3 because Exception 1 already refers to Chapter 11A; there is no need to repeat reference to Chapter 11A twice in this section.

## **411.0 Water Closets.**

### **411.2 Water Consumption.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment brings forward the limitation for toilets to not exceed 1.28 gallons per flush, which also aligns with the requirements in CALGreen and Title 20 (Appliance Efficiency Regulations, adopted by the California Energy Commission). The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **411.2.2 Flushometer Valve Activated Water Closets.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The new amendment modifies the flow rate (from 1.6 gpf to 1.28 gpf) in the model code language, which is consistent with the requirements in CALGreen and Title 20 (Appliance Efficiency Regulations, adopted by the California Energy Commission). Currently the flow rates for flushometer valve-activated water closets applicable in California are contained in Section 411.2.3.1; however, because of an oversight, this section was not adopted by HCD.

The proposed modification provides clarity and consistency to the code user. There is no intended change in regulatory effect.

#### **411.2.3 Performance.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment with editorial modification. The existing amendment clarifies that water closets shall meet or exceed minimum performance criteria from the WaterSense program. The proposed editorial modification specifies that this section applies to residential occupancies. The existing amendment is also renumbered to align with the new section numbers in the model code.

The proposed modifications provides clarity and consistency to the code user. There is no intended change in regulatory effect.

## **412.0 Urinals.**

### **412.1 Application.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes model code language that does not apply to California and adds in language for current flush rates for urinals. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **412.1.1 Nonwater Urinals.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment references the Health & Safety Code for requirements for nonwater-supplied urinals. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.



## **415.0 Drinking Fountains.**

### **415.1 Application.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides additional requirement for drinking fountains related to the jet of water. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **420.0 Sinks.**

### **420.2.2 Kitchen Faucets.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment provides the maximum flow rates for residential kitchen faucets. These flow rates are consistent with the requirements in CALGreen and Title 20 (Appliance Efficiency Regulations), adopted by the California Energy Commission. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **422.0 Minimum Number of Required Fixtures.**

### **422.1 Fixture Count.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes general term “building code” and refers to the California Building Code. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **TABLE 422.1 MINIMUM PLUMBING FACILITIES**

**Rationale:** HCD proposes to adopt the above referenced Table with existing California amendment. The existing amendment provides a requirement for persons with disabilities and refers to California Building Code, Chapter 11A or 11B, as applicable.

HCD is also carrying forward two existing exceptions. Exception 1 refers to Chapter 1, Division 1 for applications regulated by the HCD. Exception 2 clarifies requirements for sanitary facilities for limited density owner-built rural dwelling units.

Additionally, HCD is also carrying forward Note 7, which references Sections 1.8.7 and 301.3 related to alternative design.

The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **6. CHAPTER 5 WATER HEATERS**

HCD proposes to adopt Chapter 5 from the 2018 UPC into the 2019 CPC with existing amendments as follows:

## **507.0 Appliance and Equipment Installation Requirements.**

### **507.2 Seismic Provisions.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment references Health and Safety Code Section 19211(a) for all new and existing water heaters which shall be strapped, braced, and or anchored due to earthquake motion. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **7. CHAPTER 6 WATER SUPPLY AND DISTRIBUTION**

HCD proposes to adopt Chapter 6 (except Section 609.10) from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

### **601.0 General.**

#### **601.2 Hot and Cold Water Required.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendments. Exception 2 addresses limited-density owner-built rural dwellings. Exception 3 allows alternate water sources for residential occupancies. The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **601.2.1 Submeters.**

**Rationale:** HCD proposes to adopt the above referenced section as a new California amendment. Section 601.2.1 provides a reference to the California Water Code, Division 1, Chapter 8, Article 5 (commencing with Section 537), which mandates, after January 1, 2018, the installation of water meters or submeters to each individual dwelling unit in newly constructed multiunit residential structures or mixed-use residential and commercial structures (Senate Bill 7; Chapter 623/2016). During the Plumbing, Electrical, Mechanical and Energy (PEME) Code Advisory Committee (CAC) meeting, held on August 14-15, CAC recommended short time further study, and suggested HCD provide language regarding structures exempt from water meter/submeter installations. HCD accepted this recommendation, and proposes to clarify that the California Water Code provides details for exempted structures. The terms “submeters,” “multiunit residential structures,” and “mixed-use residential and commercial structures” are defined in the Water Code. See also the California Civil Code, Title 5, Part 4, Division 4, Chapter 2.5 (commencing with Section 1954.201).

##### **601.3.2 Color and Information.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **601.3.3 Alternate Water Sources.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The newly proposed amendment in Item (2) clarifies that the requirements in Section 601.3.3, Item 2, apply to reclaimed (recycled) water systems for outdoor applications only.

HCD did not initially propose amendments to this section. The new proposal was coordinated with the BSC and DWR, and it is intended to clarify the authority for reclaimed (recycled) systems. The DWR has authority for reclaimed (recycled) water supply systems that are within or part of a building. The signage requirements for reclaimed (recycled) water supply systems that are within or part of a building are located in in Section 1505.

### **603.0 Cross-Connection Control.**

#### **603.5.11 Nonpotable Water Piping.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment references the international symbol, which shall be provided for all nonpotable water systems. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **604.0 Materials.**

#### ***604.1.1 Local Authority to Approve CPVC Pipe Within Residential Buildings Under Specified Conditions.***

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment with editorial modification. HCD proposes to delete the reference to a nonexistent appendix. HCD also proposes to change the numbering of sections (i) and (j) to (i) and (ii), so that the paragraph sections follow a better flow for the code user. Pursuant to the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR), directive for the use of CPVC Solvent Cement Hot and Cold Water Distributions Systems, all installations of CPVC pipe within residential structures are required to meet an installation standard. The relevant provisions for flushing and worker safety is provided in the body of the code to provide consistency and clarity to the code user. This amendment also provides an additional reference to manufacturer's installation instructions.

#### ***604.1.2 PEX.***

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment with an editorial modification. HCD proposes to add the HCD 1 & HCD 2 banner to provide more clarity. In January 2009, HCD adopted PEX, which included mitigation measures based on the certified California Environmental Quality Act (CEQA), Environmental Impact Report (EIR).

## **TABLE 604.1 MATERIALS FOR BUILDING SUPPLY AND WATER DISTRIBUTION WATER PIPING AND FITTINGS**

**Rationale:** HCD proposes to adopt the above referenced table with modified existing California amendments. HCD proposes to update the reference to ASTM F876 from 2013a to the 2015a version. During the PEME-CAC meeting (August 14-15), the CAC approved this proposal “as amended,” and suggested HCD provide the most current ASTM F876 - 2017 Standard. After coordination with the Building Standards Commission, HCD did not accept this recommendation because the 2015 Standard is the standard referenced in the 2018 UPC. HCD can revisit this new amendment during the next Intervening Code Adoption Cycle.

In addition, HCD proposes to renumber the footnotes to align with the modifications to the model code.

### **604.13 Water Heater Connectors.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies not to use PEX-AL-PEX with potable water supply and distribution systems. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **605.0 Joints and Connections.**

#### **605.2.2 Solvent Cement Joints.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that low VOC one-step cement not requiring the use of primer shall be used with CPVC pipe and fittings. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **605.10 PEX-AL-PEX Plastic Tubing and Joints.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies not to use PEX-AL-PEX with potable water supply and distribution systems. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **605.12.2 Solvent Cement Joints.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that plastic pipe and fittings joined with solvent cement shall utilize low VOC primers when a primer is required and low VOC solvent cements. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **605.15 Dielectric Unions.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment requires use of dielectric unions at all points of connection where dissimilarity of metals exists. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **607.0 Potable Water Supply Tanks.**

### **607.1 General.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes the general term “building code” and provides a correct reference to the California Building Code. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **609.0 Installation, Testing, Unions, and Location.**

### **609.10 Water Hammer. (*Not adopted by HCD*)**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC.

## **610.0 Size of Potable Water Piping.**

### **TABLE 610.3 WATER SUPPLY FIXTURE UNITS (WSFU) AND MINIMUM FIXTURE BRANCH PIPE SIZES**

**Rationale:** HCD proposes to adopt the above referenced table with existing California amendments. The existing amendment in the table provides a lower fixture unit number for private mobilehome/manufactured homes. The existing amendment in Note 9 refers the code user to Title 25 for water fixture units within mobile home parks and special occupancy parks.

HCD also proposes to remove existing amendment in the table adopted during the 2016 Intervening Code Adoption Cycle. The term “Urinal, Hybrid” in the 2018 UPC adequately addresses HCD’s existing amendment; therefore, the existing amendment is no longer necessary.

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## **8. CHAPTER 7 SANITARY DRAINAGE**

HCD proposes to adopt Chapter 7 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

### **Part I – Drainage Systems.**

#### **701.0 General.**

##### **701.2 Drainage Piping.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment refers to the California Building Code since HCD does not adopt Chapter 14 of the CPC. HCD proposes to modify the existing amendment to clarify that the existing amendment is applicable to firestop protection requirements.

HCD also proposes to bring forward existing amendment in Item 2(a) that limits the areas of ABS and PVC installations.

## **702.0 Fixture Unit Equivalents.**

### **TABLE 702.1 DRAINAGE FIXTURE UNIT VALUES (DFU)**

**Rationale:** HCD proposes to adopt the above referenced table with existing California amendments. The existing amendment in the table provides reduced drainage fixture unit values for private mobilehomes/manufactured homes installed in California. The existing amendment in Note 9 refers the code user to Title 25 for drainage fixture unit values within mobilehome parks and specials occupancy parks.

HCD also proposes to remove existing amendment in the table adopted during the 2016 Intervening Code Adoption Cycle. The term “Urinal, Hybrid” in the 2018 UPC adequately addresses HCD’s existing amendment; therefore, the existing amendment is no longer necessary.

## **705.0 Joints and Connections.**

### **705.1.2 Solvent Cement Joints**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that plastic pipe and fittings joined with solvent cement shall utilize low VOC primers when a primer is required and low VOC solvent cement. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **705.6.2 Solvent Cement Joints.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that plastic pipe and fittings joined with solvent cement shall utilize low VOC primers when a primer is required and low VOC solvent cement. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **705.9.4 Transition Joint.**

**Rationale:** HCD proposes to adopt the above referenced sections with existing California amendments. The existing amendments clarify that plastic pipe and fittings joined with solvent cement shall utilize low VOC primers when a primer is required and low VOC cement solvent cement. The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification, and renumbered to align with the model code renumbering.

## **710.0 Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer Level.**

### **710.3 Sewage Ejector and Pumps**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The new amendment, which identifies the minimum size of pump or discharge pipe with connected water closet, is currently in Section 710.3.1. The amendment identifies the minimum size of pump or discharge pipe having a water closet connected. HCD proposes to formally repeal the Section number 710.3.1 in order to align with the format of the model code. The proposed amendment provides clarity to the code user; there is no intended change in regulatory effect.

## **Part II – Building Sewers.**

### **713.0 Sewer Required.**

#### **713.4 Public Sewer Availability.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies for residential occupancies that a public sewer may be considered as not being available by Authority Having Jurisdiction. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **9. CHAPTER 8 INDIRECT WASTES**

HCD proposes to adopt Chapter 8 from the 2018 UPC into the 2019 CPC without amendment.

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## **10. CHAPTER 9 VENTS**

HCD proposes to adopt Chapter 9 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

### **903.0 Materials.**

#### **903.1 Applicable Standards.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment refers to the California Building Code since HCD does not adopt Chapter 14 of the CPC. HCD proposes to modify the existing amendment to clarify that the existing amendment is applicable to firestop protection requirements.

### **903.1.1**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment limits the area of installations for ABS and PVC installations to two stories for residential occupancies. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **903.1.2**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment clarifies malleable iron vents shall be galvanized. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **11.CHAPTER 10 TRAPS AND INTERCEPTORS**

HCD proposes to adopt Chapter 10 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

### **1003.0 Traps — Described.**

#### **1003.1 General Requirements.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment in Exception 2. The amendment updates the year for the existing reference standard.

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## **12.CHAPTER 11 STORM DRAINAGE**

HCD proposes to adopt Chapter 11 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

### **1101.0 General.**

#### **1101.4 Material Uses.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment refers to the California Building Code since HCD does not adopt Chapter 14 of the CPC. HCD proposes to modify the existing amendment to clarify that the existing amendment is applicable to firestop protection requirements.

#### **1101.4.2.1**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment limits the area of installations for ABS and PVC installations to two stories for residential occupancies. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.



### **1101.6 Subsoil Drains.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies subsoil drains are mandatory only if required by Authority Having Jurisdiction. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **13.CHAPTER 12 FUEL GAS PIPING**

HCD proposes to adopt Chapter 12 from the 2018 UPC into the 2019 CPC without amendment.

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## **14.CHAPTER 13 HEALTH CARE FACILITIES AND MEDICAL GAS AND MEDICAL VACUUM SYSTEMS**

HCD proposes to continue to NOT adopt Chapter 13 from the 2018 UPC.

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## **15.CHAPTER 14 FIRESTOP PROTECTION**

HCD proposes to continue to NOT adopt Chapter 14 from the 2018 UPC.

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## **16.CHAPTER 15 ALTERNATE WATER SOURCES FOR NONPOTABLE APPLICATIONS**

HCD proposes to adopt Chapter 15 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows. HCD proposes to not adopt model code Sections 1501.5.1; 1501.5.2, 1502.3.4; 1503.9.3 -1503.9.7; 1504.5, 1504.5.1, 1504.5.2, 1504.5.3, 1504.5.4, 1504.5.5, 1504.5.6, 1504.5.7, 1504.6, 1504.6.1, 1504.6.2, 1504.6.3, 1504.6.4, 1504.7, 1504.7.1, 1504.7.2, 1504.7.3, 1504.9.1, 1505.0 – 1505.13 and Table 1501.5.

### **Intent**

**Rationale:** HCD proposes to repeal the above referenced intent. This intent was brought into the CPC, Chapter 16A, during the 2009 Graywater Emergency Rulemaking. The intent was to inform the code user that Chapter 16A “Graywater” only applied to occupancies under the authority of HCD and explained the intention of the regulations. Chapter 15 now encompasses all alternate water sources by many different authorities. Therefore, the intent is no longer necessary.

## **1501.0 General.**

### **1501.1 Applicability.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1501.1.1 Allowable Use of Alternate Water.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds “gray” to on-site treated nonpotable water to be consistent with Section 1506.0. The existing amendment has been brought forward

##### ***1501.1.1.1 Outdoor Recycled Water Supply Systems.***

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment. This section incorporates statutory requirements enacted by Assembly Bill (AB) 2282 introduced by Senator Gatto (Chapter 606; Statutes of 2014) approved by the Governor in September 2014. AB 2282 mandated HCD to research, develop, and submit for adoption mandatory building standards for the installation of indoor and outdoor recycled water supply systems for newly constructed single-family and multifamily buildings. This mandate is limited to areas within local jurisdictions that have feasible and cost-efficient access to a water recycling facility, or areas where recycled water is within a planned service area and a specific implementation timeline for the provision of recycled water has been identified.

Exceptions 1 and 2 exempt projects from compliance with the requirement for installation of recycled water supply system infrastructure if certain conditions are met. Exception 3 allows use of a single pipe system if recycled water is already provided for landscaping at the time of final inspection, while Exception 4 allows the use of potable water with purple pipes (Chapter 6 requires purple pipe for reclaimed (recycled) water) on a temporary basis, if allowed by the Authority Having Jurisdiction in consultation with the water purveyor(s). Use of Exception 4 will reduce costs since duplicate plumbing would not be required. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### ***1501.1.1.2. Technical Requirements for Outdoor Recycled Water Supply Systems.***

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment.

Section 1501.1.1.2 refers to the California Code of Regulations, Titles 17, 22 and 23, for the technical requirements for recycled water supply systems. Currently Title 17 contains requirements for backflow prevention, Title 22 contains requirements for reclaimed (recycled) water, and Title 23 contains requirements for landscape irrigation (potable and recycled water). The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1501.2 System Design.**

**Rationale:** HCD proposes to repeal the existing California amendment from the 2016 California Plumbing Code. 2018 Uniform Plumbing Code adequately addresses the requirements for the design of alternate water source systems. Therefore, there is no need for existing amendment to be carried forward.

### **1501.2 System Design.**

**Rationale:** HCD proposes to adopt the above referenced model code section. HCD proposes to adopt a new section in the body of the text and banner with HCD 1. Formerly this section was located as Exception 3, which was adopted during the 2016 Intervening Code Adoption Cycle (proposed for repeal). This text provides a reference to the California Code of Regulations, Title 23, Model Water Efficient Landscape Ordinance (MWELO), which addresses irrigation design plans.

The proposed amendment provides clarity and consistency to the code user. There is no intended change in regulatory effect.

### **1501.3 Permit.**

**Rationale:** HCD proposes to adopt the above referenced model code section, and repeal one of the existing California amendments. The model code provides the same language referring to the Authority Having Jurisdiction; there is no need for the California amendment to be carried forward. HCD also proposes to modify the referenced section number to align with new model code renumbering. HCD is also carrying forward an existing California amendment regarding “no changes to the alternate water source systems or the potable water system without the approval of the Authority Having Jurisdiction” as well as the exception that references clothes washer systems. There is no intended change in regulatory effect.

### **TABLE 1501.5 MINIMUM ALTERNATE WATER SOURCE TESTING, INSPECTION, AND MAINTENANCE FREQUENCY**

**Rationale:** HCD proposes to continue to not adopt the above referenced table from the 2018 UPC. As a result of the proposed actions addressing Sections 1501.5, 1501.5.1 and 1501.5.2, the table is no longer necessary and may conflict with the manufacturer’s recommendations or local requirements.

### **1501.5 Maintenance and Inspection.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes language that references sections numbers that HCD does not adopt and adds text to refer to manufacturer’s recommendations and AHJ. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1501.5.1 Frequency.**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC.

### **1501.5.2 Maintenance Log.**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC.

### **1501.5.1 (1501.5.3 in 2018 UPC) Maintenance Responsibility.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2018 UPC into the 2019 CPC with modification. HCD proposes to renumber Section 1501.5.3 to 1501.5.1. There is no intended change in regulatory effect.

### **1501.6 Operation and Maintenance Manual.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to modify the referenced section number in the text (Section 1506.2) to align with the model code renumbering. There is no intended change in regulatory effect.

### **1501.7 Minimum Water Quality Requirements.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment refers to Sections 1504.10.2 and 1503.14, which provide specific requirements for water quality for on-site treated nonpotable gray water and for recycled water. HCD proposes to modify the referenced section numbers in the text Sections 1506.9.2 and 1505.14 to align with the model code renumbering. There is no intended change in regulatory effect.

### **1501.9 Signage.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment as renumbered. HCD proposes to modify the referenced sections to align with new model code renumbering. There is no intended change with regulatory effect.

#### **1501.9.1 Commercial, Industrial, Institutional, and *Residential* Restroom Signs.**

**Rationale:** HCD proposes to adopt the above referenced section, as renumbered, with existing California amendment. The existing amendment removes the term “reclaimed (recycled) water” from the text since the requirements for reclaimed (recycled) water signage are proposed by DWR and are located in Section 1505. The existing amendment replaces the term “on-site treated nonpotable water” with “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1501.9.2 Equipment Room Signs.**

**Rationale:** HCD proposes to adopt the above referenced section, as renumbered, with existing California amendment. The existing amendment removes the term “reclaimed (recycled) water” from the text since the requirements for reclaimed (recycled) water signage are proposed by DWR and are located in Section 1505. The existing amendment refers to on-site treated nonpotable gray water to provide clarity and consistency with other sections of this code. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1501.11 Hose Bibbs for Single-Family Dwellings.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, as renumbered. The existing amendment clarifies that hose bibbs are not allowed on reclaimed (recycled) water piping systems for single-family dwelling units. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1502.0 Inspection and Testing.**

### **1502.1 General. (Formerly 1501.11 Inspection and Testing)**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment clarifies that the local enforcing agency may require different inspection and testing procedures. HCD proposes to modify the referenced section number in the text (Section 1502.3.3) to align with the model code renumbering. There is no intended change in regulatory effect.

### **1502.3 (Formerly 1501.11.2) Cross-Connection Inspection and Testing.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to modify the referenced section number in the text to align with the model code renumbering. HCD continues to repeal the requirement for annual inspection and testing and instead require only initial cross connection testing and inspection in this section.

HCD proposes to delete the existing reference to Section 1501.11.2.3 (currently in Section 1501.11.2). Due to the model code reformatting, there is no need for the existing reference to be carried forward.

### **1502.3.2 (Formerly 1501.11.2.2) Cross-Connection Test.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that the cross-connection test shall be performed in the presence of a delegated authority. Item 3 clarifies that all fixtures shall be tested and inspected for flow. HCD also amends Item 5, requiring a temporary connection to potable water when alternate water source is not available for the initial test. The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1502.3.3 (Formerly 1501.11.2.3) Discovery of Cross-Connection.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. HCD removes the text in the first paragraph, requiring the presence of the Authority Having Jurisdiction. The existing amendment modifies the text adding the first procedure, requiring the notification of the Authority Having Jurisdiction if a cross-connection is discovered. In renumbered Items 2, 3 and 5 HCD adds “and its premises” to help clarify that piping may need to be shut down on the premises of the building, e.g. landscapes, if it has an alternate water source. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1502.3.4 Annual Inspection.**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC.

### **1503.0 Gray Water Systems.**

#### **1503.1 (Formerly 1502.1) General.**

**Rationale:** HCD proposes to adopt the above referenced section with editorial modification to the existing California amendment. The existing amendment provides clarity and consistency for graywater systems use. There is no intended change in regulatory effect.

##### **1503.1.1 Clothes Washer System.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment, as renumbered. Section 1503.1.1 provides design criteria for clothes washer systems. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1503.1.2 Simple System.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment, as renumbered, with modification. HCD proposes to change a referenced section number to 1503.8 for the discharge capacity of gray water systems. The existing amendment provides three design criteria for simple systems. There is no intended change in regulatory effect.

##### **1503.1.3 Complex System.**

**Rationale** HCD proposes to continue adoption of the above referenced California amendment, as renumbered, with modification. HCD proposes to change a referenced section number to 1503.8 to reference for the discharge capacity of gray water systems. The existing amendment provides the design criteria for complex systems. There is no intended change in regulatory effect.

#### **1503.2 (Formerly 1502.2) System Requirements.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds “or disposal field” as a location where gray water may be discharged. Additionally, HCD replaces “single family and multi-family dwellings” with “residential occupancies” as HCD’s authority covers all residential occupancies. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1503.2.1 (Formerly 1502.2.1) Surge Capacity.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment includes a disposal field as a location where gray water may be discharged, as well as an exception to state that diversion of gray water by a diverter valve or overflow drain to the building sewer is allowed. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1503.2.2 (Formerly 1502.2.2) Diversion.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. The existing amendment clarifies for consistency with this code, a diverter valve shall be in a readily accessible location, and must not require removal of any panel, door, or similar obstruction to access the valve to allow diversion of gray water to the subsurface irrigation field, subsoil irrigation field, disposal field, mulch basin, or the building sewer. HCD proposes to modify a referenced section number in the exception to align with new format (renumbering).

### **1503.2.3 (Formerly 1502.2.3) Backwater Valves.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment identifies that when a gray water system drains into a building sewer system it shall be protected at the point of connection by a backwater valve. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1503.3 (Formerly 1502.3) Connections to Potable and Reclaimed (Recycled) Water Systems.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD co-adopts a modification proposed by the DWR from the 2016 intervening code cycle. The modification adds an exception, which allows a temporary connection to a potable water supply for initial testing. HCD proposes to change the referenced section number, an editorial renumbering due to model code reformatting. The existing amendment includes the word “rainwater” for use as makeup water for storage tanks when the connection to the tank when it is protected by an air gap. There is no intended change in regulatory effect.

### **1503.4 (Formerly 1502.4) Location.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds an exception, which may allow discharge of gray water from one lot onto an adjacent lot provided certain requirements are met. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **TABLE 1503.4 (Formerly 1502.4) LOCATION OF GRAY WATER SYSTEM.**

**Rationale:** HCD proposes to adopt the above referenced Table with existing California amendment. The existing Table establishes the minimum horizontal distance required from various elements such as structures and property lines. The Table is amended to add a column for “Disposal Field.” The minimum horizontal distance from a stream or a lake is amended from 50 feet to 100 feet for subsurface and subsoil irrigation fields and mulch basins. Similarly the distance required between an on-site domestic water service line is amended from 5 feet to 0 feet.

Footnote (1) clarifies what building structures are not included. “Roofed porte cocheres” is added to the list of structures not included as buildings.

Footnote (3) continues to bring forward California amendments from previous code cycles, which provide more information than the model language contained regarding underground tanks.

A Footnote (10) clarifies that the minimum horizontal distance may be reduced to 50 feet (15,240 mm) for irrigation or disposal fields utilizing graywater, which has been filtered prior to entering the distribution piping.

The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1503.5 (Formerly 1502.5) Plot Plan Submission.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to change a referenced section number in the exception, an editorial renumbering due to model code reformatting. There is no intended change in regulatory effect.

### **1503.6 (Formerly 1502.6) Prohibited Location.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. In the existing amendment, the term “geologically sensitive area” as determined by the Authority Having Jurisdiction, is deleted because it is not a defined term that can be universally applied statewide. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1503.7 (Formerly 1502.7) Drawings and Specifications.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies each Enforcing Agency or Authority Having Jurisdiction has its own requirements for permit issuance “shall require” has been changed to “may require” with regard to the information required on the plans. Item #4 includes disposal area as a location of a gray water system, which may include a disposal field.

Existing amendment, Exception (2), states that the enforcing agency may waive the requirement for identification of groundwater level and/or soil absorption qualities based on knowledge of local conditions.

Existing amendment, Exception (3) clarifies provisions regarding test holes and groundwater levels.

The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1503.8 (Formerly 1502.8) Procedure for Estimating Gray Water Discharge.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. In the existing amendment, the UPC states that gray water systems shall be designed to distribute the total amount of gray water on a daily basis. An exception was added to explain that it is not the intent to require that an irrigation field or disposal field handle all gray water, and it is acceptable for excess gray water to be diverted to the



building sewer. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.8.1 (Formerly 1502.8.1) Residential Occupancies.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that HCD's authority includes all residential occupancies and makes it consistent with all Title 24 Codes. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.8.3 Daily Discharge.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, as renumbered. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.9 (Formerly 1502.9) Gray Water System Components.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment identifies that based on other amendments to this section and chapter, it is more appropriate to indicate that gray water systems must comply with the chapter. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.9.1 (Formerly 1502.9.1) Surge Tanks.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that surge tanks shall be protected from direct sunlight or constructed of UV resistant materials. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.9.3 Subsoil Irrigation Field Materials.**

#### **1503.9.4 Subsurface Irrigation Field and Mulch Basin Supply Line Materials.**

#### **1503.9.5 Valves.**

#### **1503.9.6 Trap.**

#### **1503.9.7 Backwater Valve.**

**Rationale:** HCD proposes to continue to not adopt the above referenced sections from the 2018 UPC.

#### **1503.9.3 Animals and Insects.**

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment, as renumbered. The existing amendment contains language from the 2012 International Green Construction Code and the 2012 Green Plumbing and Mechanical Code Supplement. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1503.9.4 Freeze Protection.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, as renumbered. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1504.0 Subsurface Irrigation System Zones.**

### **TABLE 1504.2 (Formerly 1502.10) DESIGN OF SIX TYPICAL SOILS**

**Rationale:** HCD proposes to adopt the above referenced table and bring forward an existing California amendment. The existing amendment adds leaching to the second column for area per 100 gallons of gray water discharge per day. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1504.3 (Formerly 1502.10.2) Determination of Maximum Absorption Capacity.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to change a referenced section number to align with the model code renumbering. There is no intended change in regulatory effect.

### **1504.4 (Formerly 1502.10.3) Groundwater Level.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds a “Note” regarding testing groundwater in order to prevent costly and unnecessary verification of groundwater depth. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1504.5 Subsurface and Subsoil Irrigation Field Design and Construction.**

### **1504.5.1 Subsurface Irrigation Field.**

#### **1504.5.2 Minimum Depth.**

#### **1504.5.3 Filter.**

#### **1504.5.4 Emitter Size.**

#### **1504.5.5 Number of Emitters.**

#### **1504.5.6 Controls.**

#### **1504.5.7 Maximum Pressure.**

### **1504.6 Mulch Basin Design and Construction.**

#### **1504.6.1 Single Family and Multi-Family Dwellings.**

#### **1504.6.2 Size.**

#### **1504.6.3 Minimum Depth.**

#### **1504.6.4 Maintenance.**

### **1504.7 Subsoil Irrigation Field.**

#### **1504.7.1 Minimum Pipe Size.**

#### **1504.7.2 Filter Material and Backfill.**

#### **1504.7.3 Subsoil Irrigation Field Construction.**

**Rationale:** HCD proposes to continue to not adopt the above referenced sections from the 2018 UPC into the 2019 CPC. HCD, in a separate action, is carrying forward California amendments that addresses measures contained in the above referenced sections.

### ***1504.5 Irrigation, Disposal Field and Mulch Basin Construction.***

**Rationale:** HCD proposes to continue adoption of the above referenced California amendment with new modification. The new modification refers to CALGreen for irrigation design, and provides clarity and consistency to the code user. HCD also proposes to change the section number, an editorial renumbering due to model code reformatting.

#### **1504.5.1 Mulch Basin.**

**Rationale:** HCD proposes to continue adoption of the above referenced modified existing California amendment. HCD proposes to renumber the section and change the referenced table number to align with the model code renumbering. There is no intended change in regulatory effect.

#### **1504.5.2 Irrigation Field.**

**Rationale:** HCD proposes to continue adoption of the above referenced modified existing California amendment. HCD proposes to renumber the section and change a referenced table number and the section number to align with the model code renumbering. There is no intended change in regulatory effect.

#### **1504.5.3 Disposal Field.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment with nonsubstantive editorial modifications and editorial renumbering due to model code reformatting. HCD proposes to change a referenced section number in the text in line (C). There is no intended change in regulatory effect.

#### **TABLE 1504.7.3 (Formerly 1502.11.3) SUBSOIL IRRIGATION FIELD CONSTRUCTION**

**Rationale:** HCD proposes to adopt the above referenced Table with existing California amendment. The existing amendment clarifies the “Bottom width of trench” is amended to read 24 inches maximum in lieu of 18 inches. Additionally, a footnote is added regarding manufactured leaching chambers. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1504.8 (Formerly 1502.12) Gray Water System Color and Marking Information.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies the labeling requirements for graywater collection piping upstream from the graywater distribution system. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1504.9 (Formerly 1502.13) Other Collection and Distribution Systems.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment removes language regarding the local Authority Having Jurisdiction, as Section 301.3 as referenced, contains language regarding the authority of the Authority Having Jurisdiction. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1504.9.1 Higher Requirements.**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC. The powers and authority of the Authority Having Jurisdiction is adequately addressed elsewhere in this code.

#### **1504.9.1 Future Connections.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment addressing gray water stub-outs, as renumbered. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1504.11 (Formerly 1502.15) Maintenance.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment references Section 1501.5, instead of Table 1501.5. HCD does not adopt the table, and has proposed other means for maintenance including recommendations from the manufacturer and/or as specified by the local enforcing agency. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1505.0 – 1505.13 Reclaimed (Recycled) Water Systems. (Not adopted by HCD)**

**Rationale:** HCD proposes to continue to not adopt the above referenced section. DWR has authority for reclaimed (recycled) water supply systems that are within or part of a building.

#### **1506.0 On-Site Treated Nonpotable Gray Water Systems.**

##### **1506.1 (Formerly 1504.1) General.**

##### **1506.2 (Formerly 1504.2) Plumbing Plan Submission.**

##### **1506.3 (Formerly 1504.3) System Changes.**

**Rationale:** HCD proposes to adopt the above referenced sections with existing California amendments addressing nonpotable water source for gray water and local consultation with the local public health department. The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1506.4 (Formerly 1504.4) Connections to Potable or Reclaimed (Recycled) Water Systems.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment related to initial testing. HCD proposes to modify a referenced section number in Exception 2 due to model code reformatting. There is no intended change in regulatory effect.

##### **1506.6 (Formerly 1504.6) On-Site Treated Nonpotable Gray Water System Materials.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1506.7 (Formerly 1504.7) On-Site Treated Nonpotable Gray Water Devices and Systems.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1506.8 (Formerly 1504.8) On-Site Treated Nonpotable Gray Water System Color and Marking Information.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1506.9 (Formerly 1504.10) Design and Installation.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to modify the referenced section number in the body of the text due to model code reformatting. HCD is carrying forward an existing amendment that clarifies the term “on-site treated nonpotable water” that has been changed to “on-site treated nonpotable gray water.” There is no intended change in regulatory effect.

HCD proposes to delete the existing reference to Section 1504.10.6 (currently in Section 1504.10 in the 2016 CPC). Due to the model code reformatting, there is no need for the existing reference to be carried forward.

#### **1506.9.1 (Formerly 1504.10.1) Listing Terms and Installation Instructions.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.9.2 (Formerly 1504.10.2) Minimum Water Quality**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendments clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” Additionally, HCD is carrying forward existing language as a pointer to water quality requirements for on-site treated nonpotable gray water when there are no requirements specified by the local public health authority. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.9.3 (Formerly 1504.10.3) Deactivation and Drainage.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendments clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.9.4 (Formerly 1504.10.4) Near Underground Potable Water Pipe**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendments clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.9.5 (Formerly 1504.10.5) Required Filters.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendments clarifies the term “on-site treated nonpotable water” has been changed to “on-site treated nonpotable gray water.” The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.9.6 Disinfection.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment, as renumbered. The existing amendment language was taken from the 2012 International Green Construction Code to provide additional guidance when disinfection and/or treatment of on-site treated nonpotable water is required. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1506.11 (Formerly 1504.11) Signs.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to modify the referenced sections numbers in the body of the text due to model code reformatting. The existing amendment informs the code user that signs shall also comply with the applicable requirements of the California Building Code. There is no intended change in regulatory effect.

#### **1506.12 (Formerly 1504.12) Inspection and Testing.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

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## **17. CHAPTER 16**

### **NONPOTABLE RAINWATER CATCHMENT SYSTEMS**

HCD proposes to adopt Chapter 16 from the 2018 UPC into the 2019 CPC, with new and existing amendments as follows. HCD proposes to not adopt model code Sections 1601.5.1, 1601.5.2, 1605.3.4 and Table 1601.5.

#### **1601.0 General.**

##### **1601.1 Applicability.**

**Rationale:** HCD proposes to adopt the above referenced model code section from the 2018 UPC, and to repeal the existing California amendment. Model Code Chapter 16 adequately addresses the rainwater catchment systems for rainwater, therefore, the California amendment is no longer necessary.

##### **1601.2 System Design.**

**Rationale:** HCD proposes to adopt the above referenced model code section, and repeal a portion of an existing California amendment. Currently Section 1601.2, which is a California amendment, provides measures for design of alternate water source systems.

However, the model code Section 1601.2 adequately addresses the requirements for design of alternate water source systems. Therefore, there is no need for the entire existing amendment to be carried forward.

HCD proposes to adopt new text which provides a reference to the California Code of Regulations, Title 23, Model Water Efficient Landscape Ordinance (MWELO), which addresses irrigation design plans.

The proposed amendments provides clarity and consistency to the code user.

### **1601.3 Permit.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies when exceptions may apply which allow some rainwater catchment systems to be installed without a permit. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

### **1601.5 (Formerly 1601.4) Maintenance and Inspection.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment references sections 1601.5.1 through 1601.5.3, however HCD does not adopt these sections and has proposed other means for maintenance including recommendations from the manufacturer and/or as specified by the local enforcing agency. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1601.5.1 Frequency.**

#### **1601.5.2 Maintenance Log.**

**Rationale:** HCD proposes to continue to not adopt the above referenced sections from the 2018 UPC.

#### **1601.5.1 (Formerly 1601.4.1) Maintenance Responsibility.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2018 UPC into the 2019 CPC with modification. HCD proposes to renumber model code Section 1601.5.3 to 1601.5.1. There is no intended change in regulatory effect.

### **TABLE 1601.5 MINIMUM ALTERNATE WATER SOURCE TESTING, INSPECTION, AND MAINTENANCE FREQUENCY**

**Rationale:** HCD proposes to continue to not adopt the above referenced table from the 2018 UPC. As a result of the proposed actions concerning Sections 1601.5 and 1601.5.1, the table is no longer necessary and may conflict with the manufacturer's recommendations or local requirements.

### **1601.6 (Formerly 1601.5) Operation and Maintenance Manual.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds the word "installer" in the first sentence to identify who else may be required to provide the manual in the absence of a system designer or when the installer is the building owner. HCD also amends Item 1,3,4,5, and 6 and adopts Item 7 as a California amendment.

The existing amendments have been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1601.7 (Formerly 1601.6) Minimum Water Quality Requirements.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to change the referenced Table number in the body of the text, due to model code reformatting. There is no intended change in regulatory effect.

#### **1602.0 Nonpotable Rainwater Catchment Systems.**

##### **1602.4 Connections to Potable or Reclaimed (Recycled) Water Systems.**

**Rationale:** HCD proposes to adopt the above referenced model code section, and to repeal the existing California amendment for consistency with Chapter 15.

##### **1602.9.4 (Formerly 1602.9.3.1) Other Surfaces.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment adds in the term “gray” for on-site treated nonpotable water systems to match Section 1506.0. Additionally, HCD proposes to carry forward the existing exception for subsurface landscape irrigation. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

##### **1602.9.6.1 Disinfection.**

**Rationale:** HCD proposes to continue adoption of the above referenced existing California amendment with editorial renumbering due to model code reformatting.

#### **TABLE 1602.9.6 (Formerly 1602.9.4) MINIMUM WATER QUALITY**

**Rationale:** HCD proposes to adopt the above referenced table with new and existing California amendments. HCD proposes to remove the word “Disinfection” from the third row of the Minimum Treatment Column, to clarify that no treatment is required for irrigation from systems where the storage volume is less than 360 gallons. This was an amendment from 2013 Triennial Code, that due to an oversight in the 2015 triennial cycle, HCD is proposing as a new amendment. The existing amendment brought forward clarifies that the word “Surface” is added to the second row of the Application Column indicating that surface irrigation may be permitted.

#### **1603.0 (Formerly 1602.9.5) Rainwater Storage Tanks.**

##### **1603.4 (Formerly 1602.9.5.3) Above Grade.**

**Rationale:** HCD proposes to adopt the above referenced section with new and existing California amendments. HCD proposes to add a new exception that clarifies that rainwater storage tanks may be installed directly on grade in accordance with Section 1601.3. In Chapter One of the California Building Code there is an exemption for permits for “Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.” The existing amendment removes the general term “building code” and refers to the California Building



Code as the appropriate code containing the requirements for platforms or foundations. There is no intended change in regulatory effect.

#### **1603.5 (Formerly 1602.9.5.4) Below Grade.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides a minimum size requirement for manholes and service ports for all below grade tanks. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1603.6 (Formerly 1602.9.5.5) Drainage and Overflow.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment clarifies that the tank drain must be protected from backflow of the storm drainage system by a backflow preventer and that the backflow device shall be accessible for service and repair. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1603.7 (Formerly 1602.9.5.6) Opening and Access Protection.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment deletes the second sentence of the section as this language is covered by the existing California amendment in Items (A) and (B) which provide more specificity as to the requirement for access openings and the requirement for screens. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1603.9 (Formerly 1602.9.5.8) Storage Tank Venting.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment is based on a section from the International Green Construction Code and specifies that rainwater tanks shall be adequately vented in accordance with the CPC. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

#### **1603.15 (Formerly 1602.9.11) Required Filters.**

**Rationale:** HCD proposes to adopt the above referenced section with new California amendment. The amendment makes a grammatical correction and adds “s” to the word “system” to clarify that filters shall be provided on any installed rainwater-supplied drip irrigation system(s). There is no intended change in regulatory effect.

#### **1604.0 Signs.**

##### **1604.1 (Formerly 1602.10) General.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment informs the code user that signs shall also comply with the applicable requirements of the California Building Code. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1604.2 (Formerly 1602.10.1) Commercial, Industrial, Institutional, *and Residential* Restroom Signs.**

**Rationale:** HCD proposes to adopt the above referenced section with new and existing California amendments. HCD proposes to remove the word “restrooms” from the text as it is redundant. HCD proposes to incorporate a reference to the California Building Code to inform code users that the accessibility requirements for signs are located in the California Building Code. The proposed amendment is consistent with the sign requirements in Chapter 15. This existing amendment clarifies “residential common use areas” are required to be provided with signage to inform the occupants of the use of nonpotable rainwater for flushing of water closets and urinals.

## **1604.3 (Formerly 1602.10.2) Equipment Room Signs.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment modifies the marking requirements of the model code and only requires the marking to indicate that the water is nonpotable water, which is consistent with other sections of this chapter. The existing amendment has been brought forward from the 2016 CPC into the 2019 CPC without modification.

## **1605.0 Inspection and Testing.**

### **1605.3 (Formerly 1602.11.2) Cross-Connection Inspection and Testing.**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to modify referenced section numbers (HCD does not adopt) and add in a new section number to align with the new format (renumbering). The existing amendment removes the requirement for annual cross connection testing. There is no intended change in regulatory effect.

HCD proposes to delete the existing reference to Section 1602.11.2.3 (currently in Section 1602.11.2 in the 2016 CPC). Due to the model code reformatting, there is no need for the existing reference to be carried forward.

### **1605.3.2 (Formerly 1602.11.2.2) Cross-Connection Test.**

**Rationale:** HCD proposes to adopt the above referenced section with new amendments. HCD proposes to modify the first paragraph, clarifying that the cross-connection test shall be performed in the presence of an Authority Having Jurisdiction. HCD also proposes to incorporate new language in Item Six, requiring a temporary connection to potable water when rainwater is not available for the initial test, similar to Section 1502.3.2 for alternate water sources. There is no intended change in regulatory effect.

### **1605.3.3 Discovery of Cross-Connection.**

**Rationale:** HCD proposes to adopt the above referenced section with new and existing California amendments. The new amendment provides consistency with Section 1502.3.3 for alternate water sources. The amendment modifies the text requiring the notification of the Authority Having Jurisdiction if a cross-connection is discovered. HCD also removes the text in the first paragraph, requiring the presence of the Authority Having Jurisdiction.

#### **1605.3.4 Annual Inspection.**

**Rationale:** HCD proposes to continue to not adopt the above referenced section from the 2018 UPC into the 2019 CPC. This removes the requirement for annual inspection of the rainwater catchment system.

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### **18. CHAPTER 17 REFERENCED STANDARDS**

HCD proposes to adopt Chapter 17 from the 2018 UPC into the 2019 CPC with new and existing amendments as follows:

#### **TABLE 1701.1 REFERENCED STANDARDS**

**Rationale:** HCD proposes to adopt the above referenced section with modified existing California amendment. HCD proposes to update the standard designation (NSF/ANSI 350) and the year from 2012 to 2014, and update referenced sections. There is no intended change in regulatory effect.

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### **19. APPENDIX A RECOMMENDED RULES FOR SIZING THE WATER SUPPLY SYSTEM**

HCD proposes to continue to adopt Appendix A from the 2018 UPC into the 2019 CPC without amendments.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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### **20. APPENDIX B EXPLANATORY NOTES ON COMBINATION WASTE AND VENT SYSTEMS**

HCD proposes to continue to NOT adopt Appendix B from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and

questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **21. APPENDIX C**

### **ALTERNATE PLUMBING SYSTEMS**

HCD proposes to continue to NOT adopt Appendix C from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **22. APPENDIX D**

### **SIZING STORM WATER DRAINAGE SYSTEMS**

HCD proposes to continue to adopt Appendix D from the 2018 UPC into the 2019 CPC without amendments.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **23. APPENDIX E**

### **MANUFACTURED/MOBILE HOME PARKS AND RECREATIONAL VEHICLE PARKS**

HCD proposes to continue to NOT adopt Appendix E from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **24. APPENDIX F**

### **FIREFIGHTER BREATHING AIR REPLENISHMENT SYSTEMS**

HCD proposes to continue to NOT adopt Appendix F from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **25. APPENDIX G**

### **SIZING OF VENTING SYSTEMS**

HCD proposes to continue to NOT adopt Appendix G from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text

refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **26. APPENDIX H PRIVATE SEWAGE DISPOSAL SYSTEMS**

HCD proposes to continue to adopt Appendix H from the 2018 UPC into the 2019 CPC without amendments.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## **27. APPENDIX I INSTALLATION STANDARD FOR PEX TUBING SYSTEMS FOR HOT - AND COLD- WATER DISTRIBUTION**

HCD proposes to continue to adopt Appendix I from the 2018 UPC into the 2019 CPC without amendments.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## 28. APPENDIX J

### COMBINATION OF INDOOR AND OUTDOOR COMBUSTION AND VENTILATION OPENING DESIGN

HCD proposes to continue to NOT adopt Appendix J from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## 29. APPENDIX K

### POTABLE RAINWATER CATCHMENT SYSTEMS

HCD proposes to continue to NOT adopt Appendix K from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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## 30. APPENDIX L

### SUSTAINABLE PRACTICES

HCD proposes to continue to NOT adopt Appendix L from the 2018 UPC.

**Rationale:** HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text

refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user. There is no change in regulatory effect.

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### **31. APPENDIX M PEAK WATER DEMAND CALCULATOR**

HCD proposes to NOT adopt Appendix M from the 2018 UPC.

**Rationale:** HCD proposes to not adopt Appendix M from the 2018 Uniform Plumbing Code. Appendix M provides a method for calculating peak water demand. However, as it is stated in the applicability section, this is only “a” method – it does not preclude using other methods. Appendix M will be printed in the 2019 CPC, and available for adoption by local jurisdictions, but non-adoption also provides flexibility for local agencies to use other methods for peak water demand calculations.

In addition, HCD proposes to adopt a new appendix note which clarifies that the provisions contained in this appendix are not mandatory unless specifically adopted by a state agency, or referenced in the adopting ordinance. HCD has received comments and questions from stakeholders related to similar phrases at the beginning of appendices in other parts of Title 24 and whether an appendix was mandatory or subject to local adoption. Since the Matrix Adoption Table for the appendix is nonregulatory and the text refers to an adopting ordinance, it was not clear to readers which appendices were mandatory without reading Section 1.1.4. The 2016 CPC does not include a phrase related to mandatory or voluntary status of the appendix, however, the proposed phrase provides clarification for the code user.



**TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:**

(Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

None.

**STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:**

(Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

None. There were no alternatives available to HCD. HCD is required by statute to adopt the model code by reference. The proposed amendments are the only reasonable alternative for clarifying the 2019 CPC.

**REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.**

(Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

**FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.**

(Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination

that the action will not have a significant adverse economic impact on business.

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION.**

(Government Code Sections 11346.3(b)(1) and 11346.5(a) (10)).

HCD has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.

**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**

- The creation of new businesses or the elimination of existing businesses within the State of California.

**These regulations will not affect the creation or the elimination of existing business within the State of California.**

- The expansion of businesses currently doing business with the State of California.

**These regulations will not affect the expansion of businesses currently doing business within the State of California.**

- The benefits of the regulations to the health and welfare of California residents, worker safety, and the state's environment.

**These regulations will update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

### **ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

(Government Code Section 11346.2(b)(6)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

- Pursuant to Government Code Section 11346.2(b)(5)(B)(ii) adoption of the model codes is exempt from identification of the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates in the Initial Statement of Reasons.
- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.

- The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.
- Protection of public health and safety, worker safety and the environment.

## **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

These regulations do not duplicate nor conflict with federal regulations. The State of California has preemptive authority to adopt more restrictive mandatory standards for the appliances addressed in these regulations.